



1411 East Mission Avenue  
PO Box 3727  
Spokane, WA 99220-3727

January 17, 2024

Washington State Building Code Council  
PO Box 41449  
Olympia, WA 98504-1449

**RE: Proposed 2024 Technical Advisory Groups (TAG) Composition**

Members of the Washington State Building Code Council:

I have grave concerns regarding the proposed Technical Advisory Groups (TAG) composition noted in the January 19, 2024, Council Meeting attachments. According to the [SBCC bylaws](#), “Technical Advisory Groups shall be constituted using a list of **subject matter experts** and other interested parties...” (emphasis added). However, it appears that most voting TAG positions and members—both present and proposed—lack experience designing buildings.

“[T]o safeguard life, health, and property, and to promote the public welfare...” Washington regulates the practices of building design along with the use of engineering and architecture titles ([RCW 18.43.010](#), [RCW 18.08.235](#), and [RCW 18.08.310](#)). While it’s both prudent and necessary ([RCW 19.27A.025](#)) to include representation beyond design professionals, experience and technical expertise are necessary to ensure the codes the TAG is tasked with writing, reviewing, amending, and voting upon can be applied in practice. The new proposed TAG membership eliminates or consolidates seats previously filled by individuals with this needed expertise. For the integrity of Washington’s building codes, it is imperative that a significant majority of TAG members are properly licensed in accordance with state law in the subject matter to which they represent as an expert. The definitions of architecture ([RCW 18.08.320](#)) and engineering ([RCW 18.43.020](#))—functions that are regulated—are very broad and comprehensive as noted in the following excerpt:

*such professional services or creative work as **consultation, investigation, evaluation, planning, design, and supervision of construction** for the purpose of assuring **compliance with specifications and design**, in connection with any public or private **utilities, structures, buildings, machines, equipment, processes, works, or projects.***  
(emphasis added)

Specific comments pertaining to the individual TAG positions follow.

## **Energy (Residential) TAG**

The following Energy (Residential) TAG positions with noted qualifications are necessary to maintain congruency with statutes referenced above and for the reason noted below:

- 1) Maintain the *Architect* position and require it to be a registered Architect
- 2) Maintain the *Electrical Engineer* position and require it to be a Professional Engineer in the Electrical discipline. Illumination Engineer is not a recognized discipline of engineering (profession), neither in Washington nor any state that utilizes NCEES to administer licensure examinations. Lighting design must be performed by a Professional Engineer, typically within the discipline of electrical engineering. The electrical discipline also includes photovoltaics, among other electrical systems.
- 3) Maintain the *Mechanical Engineer* position and require it to be a Professional Engineer in the Mechanical discipline
- 4) Maintain the *Electric Utilities* position and require it to be a Professional Engineer in the Electrical discipline
- 5) Maintain the *Gas Utilities* position and require it to be a Professional Engineer in the Mechanical discipline
- 6) Maintain the *Small Business* position and require it to be either a general contractor, registered Architect, or Professional Engineer
- 7) Maintain the *Home Builder* position and require it to be a general contractor.
- 8) Replace the *ME and/or P Contractor* with a *HVAC Contractor* position and require it to be someone licensed in a state recognized trade related to heating or cooling.
- 9) Replace the *Solar Installer* with an *Electrical Contractor* position and require it to be a certified Master Electrician. Solar Installer is not a state recognized trade. A licensed Electrical Contractor is required to install photovoltaics.
- 10) Maintain the *Trade Association* position to represent the residential construction industry. This would typically be filled with a Building Industry Association of Washington (BIAW) representative.
- 11) Split the *Building Official* positions into two positions to provide representation to both the East and West sides of the state:
  - a. *Eastside Building Official* position
  - b. *Westside Building Official* position

The following Energy (Residential) TAG positions, while not required, may provide value if appointees meet the noted qualifications:

- 1) Optional *Cities/Counties* positions, if provided, must be provided in pairs to ensure equal representation from the East and West side of state.
- 2) Optional *Manufacturer/Supplier* position, if provided, must be a Professional Engineer.

- 3) Optional *Codes Consultant* position, if provided, must be either a registered Architect or Professional Engineer
- 4) Optional *Educator* position, if provided, must be either a registered Architect or Professional Engineer
- 5) Optional *Energy Modeler* position, if provided, must be a Professional Engineer.
- 6) Optional *Cost Estimator* position, if provided, must be either a registered Architect or general contractor.
- 7) Optional *General Public*, if provided, must not be a design professional, contractor, utility, local government, state agency or a representative thereof.
- 8) Optional *State Agency*, if provided, must be an employee and representative for that state agency.

The following Energy (Residential) TAG positions are not necessary and must be eliminated for reason noted below:

- 1) Eliminate the *Building Owner / Property Manager* position as this role is only required for “nonresidential buildings” and is not applicable to residential construction.
- 2) Eliminate the *Environmental Organization Representative*. TAG members possess a requisite level of technical experience and expertise related to residential building design to serve as subject matter experts. There is nothing barring an Environmental Organization Representative from serving in the General Public position.

### **Energy (Commercial) TAG**

The following Energy (Commercial) TAG positions with noted qualifications are necessary to maintain congruency with statutes referenced above and for the reason noted below:

- 1) Maintain the *Architect* position and require it to be a registered Architect
- 2) Maintain the *Electrical Engineer* position and require it to be a Professional Engineer in the Electrical discipline. Illumination Engineer is not a recognized discipline of engineering (profession), neither in Washington nor any state that utilizes NCEES to administer licensure examinations. Lighting design must be performed by a Professional Engineer, typically within the discipline of electrical engineering. The electrical discipline also includes photovoltaics, among other electrical systems.
- 3) Maintain the *Mechanical Engineer* position and require it to be a Professional Engineer in the Mechanical discipline
- 4) Maintain the *Electric Utilities* position and require it to be a Professional Engineer in the Electrical discipline
- 5) Maintain the *Gas Utilities* position and require it to be a Professional Engineer in the Mechanical discipline

- 6) Maintain the *Small Business* position and require it to be either a general contractor, registered Architect, or Professional Engineer
- 7) Maintain the *Commercial Contractor* position and require it to be a general contractor.
- 8) Replace the *ME and/or P Contractor* with a *HVAC / Plumbing Contractor* position and require it to be someone licensed in a state recognized trade related to heating, cooling, or plumbing.
- 9) Replace the *Solar Installer* with an *Electrical Contractor* position and require it to be a certified Master Electrician. Solar Installer is not a state recognized trade. A licensed Electrical Contractor is required to install photovoltaics.
- 10) Maintain the *Trade Association* position to represent the commercial construction industry. This would typically be filled with a Associated General Contractors (AGC) of Washington representative.
- 11) Split the *Building Official* positions into two positions to provide representation to both the East and West sides of the state:
  - a. *Eastside Building Official* position
  - b. *Westside Building Official* position
- 12) Add a *Building Owner / Property Manager* position as this role is required by statute.

The following Energy (Commercial) TAG positions, while not required, may provide value if appointees meet the noted qualifications:

- 1) Optional *Cities/Counties* positions, if provided, must be provided in pairs to ensure equal representation from the East and West side of state.
- 2) Optional *Manufacturer/Supplier* position, if provided, must be a Professional Engineer.
- 3) Optional *Codes Consultant* position, if provided, must be either a registered Architect or Professional Engineer
- 4) Optional *Energy Modeler* position, if provided, must be a Professional Engineer.
- 5) Optional *Cost Estimator* position, if provided, must be either a registered Architect or general contractor.
- 6) Optional *General Public*, if provided, must not be a design professional, contractor, utility, local government, state agency or a representative thereof.
- 7) Optional *State Agency*, if provided, must be an employee and representative for that state agency.
- 8) Optional *Building Commissioning* position.

The following Energy (Commercial) TAG positions are not necessary and must be eliminated for reason noted below:

- 1) Eliminate the *Environmental Organization Representative*. TAG members possess a requisite level of technical experience and expertise related to residential building design to serve as subject matter experts. There is nothing barring an Environmental Organization Representative from serving in the General Public position.

Avista appreciates the opportunity to submit these comments for the record. We urge the Council to maintain the integrity of the rule making process and continue to safeguard life, health and property through ensuring the Technical Advisory Groups (TAG) are comprised of subject matter experts who possess the requisite level of technical experiences and expertise.

Sincerely,

A handwritten signature in cursive script that reads "Gregory A. Johnson".

Gregory Johnson, P.E., RCDD  
Senior Electrical Engineer